

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

THE STATE OF MISSOURI;
THE STATE OF TEXAS,

Plaintiffs,

v.

JOSEPH R. BIDEN, in his official capacity as President
of the United States, *et al.*

Defendants.

No. 7:21-cv-00420
(formerly No. 6:21-cv-00052)

THE GENERAL LAND OFFICE OF THE STATE
OF TEXAS, and DAWN BUCKINGHAM, M.D., in
her official capacity as Commissioner of the Texas
General Land Office,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
HOMELAND SECURITY; and ALEJANDRO
MAYORKAS, in his official capacity as Secretary of
the Department of Homeland Security,

Defendants.

No. 7:21-cv-00272

**PLAINTIFFS' NOTICE OF NON-OPPOSITION TO DEFENDANTS' MOTION TO
MODIFY FINAL JUDGMENT AND PERMANENT INJUNCTION TO FACILITATE
NEW BORDER WALL CONSTRUCTION**

Defendants have asked this Court to amend the Final Judgment and Permanent injunction entered in these cases to “confirm that Defendants do not violate the injunction by expending the Department of Homeland Security’s fiscal year 2020 and 2021 barrier system appropriations on drainage and erosion features necessary for the construction of new border barriers.” Defs.’ Mot. to Modify Final J. and Permanent Inj. to Facilitate New Border Wall Construction 1, ECF No. 227.

Defendants filed their motion on November 22, 2024; at that time, Plaintiffs opposed the motion. Plaintiffs no longer oppose the motion and request the Court amend the permanent injunction to permit Defendants to undertake the drainage and erosion work described there.

Date: February 6, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on December 26, 2024, a true and accurate copy of the foregoing document was electronically filed through the Court's CM/ECF System and that a copy of the foregoing will be sent via email to all parties by operation of the Court's electronic filing system, all consistent with Federal Rule of Civil Procedure 5(b).

/s/ Ryan G. Kercher
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